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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,248	10/26/2000	Manish Rathi	002717.P013	6934
8791	7590	06/16/2004	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES, CA 90025			SAM, PHIRIN	
			ART UNIT	PAPER NUMBER
			2661	
			DATE MAILED: 06/16/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/699,248

Applicant(s)

RATHI ET AL.

Examiner

Phirin Sam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11, 13-18, 21-24 and 27-32 is/are rejected.
- 7) ☒ Claim(s) 5, 12, 19, 20, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

PS 6/10/04

## DETAILED ACTION

### *Drawings*

1. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 6-10, 14-16, 21-23, 27-29, 31, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Meandzija (U.S. Patent 6,404,743).

Meandzija discloses the invention (**claims 1, 10, 16, 23, 28, and 31**) as claimed including an apparatus comprising:

- (a) a transceiver to receive a request at the network element to monitor at least one configuration object on the network element, and to receive a request to read information logged

in a management information base instance table in a memory (see Figs. 1 and 2, element 16, col. 9, lines 24-26, col. 10, lines 3-8, 15-16).

(b) a microprocessor communicatively coupled to the transceiver and the memory (see Figs. 1 and 2, elements 114, 116, and 112), to execute a program to monitor the configuration object and to log the information in a management information base instance table in the memory, in response to a change in value of a configuration of the monitored object (see col. 9, lines 27-35, col. 10, lines 15-27).

(c) the transceiver to transmit an indication of a change in value of the object being monitored (see Figs. 1 and 2, element 116, col. 9, lines 24-26, col. 10, lines 17-19, 26-27, 37-40).

**Regarding claims 29 and 32,** Meandzija discloses the indication transmitted by the transmitter is a SNMP trap (see Figs. 2 and 5, col. 13, lines 34-39, 64-65).

**Regarding claims 6, 9, 15, and 22,** Meandzija discloses logging information by the network element in response to a change in value of the object comprises logging information about the change in the network element's configuration in a management information base instance table (see Fig. 2, element 226, col. 11, lines 3-12).

**Regarding claims 7 and 27,** Meandzija discloses receiving a request at a network element to monitor at least one object on the network element comprises receiving a request from one or more network management stations to monitor at least one object on the network element (see Fig. , col. 10, lines 15-19).

**Regarding claims 8, 14, and 21,** Meandzija discloses transmitting an indication from the network element of the change in value of the object comprises transmit a SNMP trap to a

network management station whenever a change in value of the object is detected by the network element (see Fig. 2, col. 10, lines 43-50).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2-4, 11, 13, 17, 18, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meandzija (U.S. Patent 6,404,743) in view of Schlener et al (U.S. Patent 6,182,157).

**Regarding claims 2-4, 11, 13, 17, 18, 24, 25, and 30,** Meandzija does not disclose a management information base rules table containing the object identifiers of the configuration objects to be monitored. However, Schlener et al discloses a management information base rules table containing the object identifiers of the configuration objects to be monitored (see Figs. 1-3a, col. 6, lines 17-25, 34-62). At the time of the invention, it would have been obvious to a

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person of ordinary skill in the art to combine the management information base rules table containing the object identifiers teaching by Schlener et al with Meandzija. The motivation for doing so would have been to provide to use to identify the threshold table entry. Therefore, it would have been obvious to combine Schlener et al and Meandzija to obtain the invention as specified in the claims 2-4, 11, 13, 17, 18, 24, 25, and 30.

***Allowable Subject Matter***

7. Claims 5, 12, 19, 20, 25, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) Barker et al (U.S. Patent 6,363,421) discloses method for computer Internet remote management of a telecommunication network element.

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Phirin Sam whose telephone number is (703) 308 - 9294.

The Examiner can normally be reached on Monday - Friday from 8:30AM - 4:00PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Douglas W. Olms can be reached at (703) 305 - 4703. The fax number for the organization where this application or proceeding is assigned is (703) 872 - 9306.

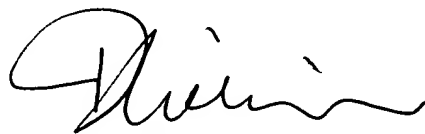
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217 - 9197 (toll-free).

Respectfully submitted,

Date: June 10, 2004

A handwritten signature in black ink, appearing to read 'Phirin Sam', written over a horizontal line.

Phirin Sam  
Patent Primary Examiner